

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4/16/03.

## **I. DISPUTE**

Whether there should be reimbursement for 22899 – insertion of spinal prosthesis implant and 22899-85 – certified physician assistant fee, dated 7/15/02 and denied by the carrier as global.

## **II. RATIONALE**

The respondent re-reviewed a disputed bill on 5/21/03 and paid, per EOB, \$3,002.89 of the \$4,500.00 charge for the surgeon fee of 22899. The EOB submitted by the carrier, reviewing the physician assistant bill – 22899-85, was denied on the basis of “G” – global to another procedure. There is no indication that the physician assistant bill was re-reviewed with the surgeon fee.

The 5/21/03 change in the carrier’s position that 22899 was not global would be true for the surgeon as well as the physician assistant.

The requestor did not refute the offer of \$3,002.89 for the surgeon fee, therefore, the amount of the physician assistant fee should be calculated at the same rate. Per the 1996 Medical Fee Guideline, Ground Rules, Modifiers, pg. 5, a physician assistant fee is 10% of the surgeon’s rate. Therefore, reimbursement of \$300.29 is recommended for 22899-85.

## **III. DECISION & ORDER**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for 22899-85 in the amount of **\$300.29**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$300.29** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 07th day of April 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

NLB/nlb